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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,004	10/31/2003	Hirohisa Tashiro	SHO-0024	8250
23353 7590 09/27/2007 RADER FISHMAN & GRAUER PLLC LION BUILDING 1233 20TH STREET N.W., SUITE 501 WASHINGTON, DC 20036			EXAMINER HSU, RYAN	
			ART UNIT 3714	PAPER NUMBER
			MAIL DATE 09/27/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/697,004

Applicant(s)

TASHIRO ET AL.

Examiner

Ryan Hsu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1 and 4-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 4-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

In response to the Request for Continued Examination (RCE) under 37 CFR 1.114 filed on 9/10/2007. Claim 6 has been amended. Claims 1 and 4-6 are pending in the current application.

#### *Claim Objections*

Claim 1 is objected to because of the following informalities: contains the phrase “arranged in front out a display” should be changed to “arranged in front of a display”. Appropriate correction is required.

#### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1 and 4-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Muir et al. (US 2004/0192090 A1).**

Regarding claim 1, Muir discloses a gaming machine comprising: a game result display device for displaying a game result thereon; and a beneficial state-generating device for generating a beneficial state for a player (*see ‘winning outcome’ of Fig. 9 and the related description thereof*). Additionally, Muir discloses the game result display device to include a first display device and a second display device arranged in front of a display area of the first

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display device when seen from a front side of the gaming machine (*see element [16, 68, 80] of Fig. 8 and the related description thereof*). Furthermore, Muir discloses a second display device that has symbol display areas that correspond to the symbol display parts through which the symbols displayed on the first display device are transmittably displayed and the window frame display areas formed around the symbols display areas in the second display device, and wherein the display mode of the window frame display area is changed (*see element [78, 60, 68] of Fig. 8 and the related description thereof*), the illumination device is adapted not to illuminate the symbol corresponding to the symbol display area and a light transmittance rate of the symbol display area is made low (*see paragraph [0018-0027]*).

Regarding claim 4, Muir disclose a gaming machine wherein the display mode of the window frame display area is changed substantially at the same time that the stop display of the symbol is conducted (*see paragraph [0022-0031, 0050-0052]*).

Regarding claim 5, Muir disclose a gaming machine wherein an internal winning combination determination device for determining an internal winning combination and a display mode of the window frame display area is changed when the internal winning combination determination device determines a predetermined combination as the internal winning combination (*see paragraph [0051-0065]*).

Regarding claim 6, Muir discloses a gaming machine comprising: a game result display device for displaying a game result thereon; and a beneficial state-generating device for generating a beneficial state for a player (*see 'winning outcome' of Fig. 9 and the related description thereof*). Additionally, Muir discloses the game result display device to include a first display device and a second display device arranged in front of a display area of the first

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display device when seen from a front side of the gaming machine (*see element [16, 68, 80] of Fig. 8 and the related description thereof*). With respect to the first display device, Muir discloses the device to include at least one symbol display part capable of variably displaying one or more symbols and conducting stop display thereof (*see element 16 of Fig. 8 and the related description thereof*). With respect to the second display device, Muir discloses the device to have at least one symbol display area corresponding to the at least one symbol display part through which the symbols displayed on the first display device are transmittably displayed and at least one window frame display area formed around the at least one symbol display area in the second display device (*see element [68, 80, 78, and 60] of Fig. 8 and the related description thereof*). Furthermore, Muir discloses that at least one window frame display area has a first display mode and a second display mode visually different from the first display mode and wherein the at least one window frame area changes from the first display mode to the second display mode when the beneficial state generating device generates the beneficial state for the player (*see Fig. 6-7 and the related description thereof*), the first display mode depicted only as a frame structure and the second display mode being a moving image superimposed on and moving along the frame structure (*see paragraph [0022-0028, 0051-0068]*).

### ***Response to Arguments***

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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**Ozaki et al. (US 7,204,753 B2)** – Pattern display device and the game device including the same.

Any inquiry concerning this communication or earlier communication from the examiner should be direct to Ryan Hsu whose telephone number is (571)-272-7148. The examiner can normally be reached on M-F 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert E Pezzuto can be reached at (571)-272-6996.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, contact the Electronic Business Center (EBC) at 1-866-217-9197 (toll-free).



RH

September 19, 2007



**XUAN M. THAI**  
**SUPERVISORY PATENT EXAMINER**

TC3700